

PHILLIPS & FLECKENSTEIN

Keith L. Phillips, Trustee
311 South Boulevard, 2nd Floor
Richmond, Virginia 23220
(804) 358-9400

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE:

REBECCA SCOTT ORPIANO,

Debtor.

Case No. 09-33062-DOT

Chapter 7

APPLICATION TO EMPLOY KUTAK ROCK LLP

Keith L. Phillips, Trustee for the Bankruptcy Estate of Rebecca Scott Orpiano (the “Trustee”), by counsel, moves the Court pursuant to 11 U.S.C. § 327 and Rule 2014 of the Federal Rules of Bankruptcy Procedure to approve Kutak Rock LLP as counsel for the estate, and states:

1. On May 12, 2009, Rebecca Scott Orpiano (the “Debtor”) filed for relief under Chapter 13 of the United States Bankruptcy Code in this Court.
2. On February 15, 2010, this case was converted to Chapter 7 and Keith L. Phillips was duly appointed Trustee.
3. The Trustee requires the assistance of legal counsel to represent him in connection with the administration of the bankruptcy estate. The representation includes, but is not limited to, assisting the Trustee to investigate the Debtor’s financial affairs and interest in assets, and to pursue possible litigation to recover property of the estate for the benefit of the creditors of the estate.

4. The Trustee wishes to employ Kutak Rock based on its knowledge and expertise in the field of bankruptcy law. To the extent any of the following attorneys or paralegals render services to the bankruptcy estate, the Trustee proposes to compensate them at the following rates:

Attorneys	Rate
Partners	\$300.00
Associates	\$225.00
Paralegals	Rate
	\$100.00

5. If other attorneys within the firm are utilized for their experience and expertise to meet obligations necessary to efficiently and expeditiously administer the bankruptcy estate, fees comparable to those set forth above will be charged. As a normal practice of Kutak Rock, the rates established for attorneys and paralegals may increase on an annual basis. All compensation shall be awarded in accordance with 11 U.S.C. § 330 and Rule 2016 of the Federal Rules of Bankruptcy Procedure, and subject to the approval of the Court.

6. Kutak Rock does not have any connection with the Debtor, any creditor or other party in interest, their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee, except that Kutak Rock may represent creditors in matters unrelated to the Debtor or to this case.

WHEREFORE, the Trustee hereby requests the Court to authorize the employment of Kutak Rock, as set forth herein, and to award any further relief the Court deems proper.

**KEITH L. PHILLIPS, TRUSTEE
FOR THE BANKRUPTCY ESTATE OF
REBECCA SCOTT ORPIANO**

By: /s/ Keith L. Phillips

PHILLIPS & FLECKENSTEIN

Keith L. Phillips, Trustee
311 South Boulevard, 2nd Floor
Richmond, Virginia 23220
(804) 358-9400

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on this 23rd day of June 2010, a true copy of the foregoing Application to Employ Kutak Rock LLP was served via ECF on all necessary parties.

/s/ Keith L. Phillips

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VERIFIED STATEMENT OF KUTAK ROCK LLP

The undersigned hereby verifies under the penalty of perjury that Kutak Rock LLP does not have any connection with the Debtor, any creditor or other party in interest, their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee, except that Kutak Rock may represent creditors in matters unrelated to the Debtor or to this case.

DATED this 21st day of June 2010.

KUTAK ROCK LLP

By: /s/ Peter J. Barrett

Its Partner

KUTAK ROCK LLP

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PHILLIPS & FLECKENSTEIN

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ORDER APPROVING EMPLOYMENT OF KUTAK ROCK LLP

This matter comes before the Court upon the *Application to Employ Kutak Rock LLP* (the “Application”) filed by Keith L. Phillips, Trustee for the Bankruptcy Estate of Rebecca Scott Orpiano, pursuant to 11 U.S.C. § 327 and Rule 2014 of the Federal Rules of Bankruptcy Procedure, and

It appearing that the Trustee requires counsel to represent him in connection with his duty to administer the bankruptcy estate, that the Trustee seeks to employ Kutak Rock based on its experience and expertise in handling bankruptcy matters, and that good cause exists to grant the relief herein, it is hereby **ORDERED, ADJUDGED AND DECREED THAT:**

1. The Application is hereby approved.
2. The employment of Kutak Rock as counsel for the estate is hereby approved.
3. Kutak Rock shall be compensated in accordance with 11 U.S.C. § 330 and Rule 2016 of the Federal Rules of Bankruptcy Procedure, and the approval of the Court.

4. No further service of this Order is required because all necessary parties shall receive service via the Court's ECF system.

DATED: _____

UNITED STATES BANKRUPTCY COURT JUDGE

I ask for this:

/s/ Keith L. Phillips

PHILLIPS & FLECKENSTEIN

Keith L. Phillips, Trustee
311 South Boulevard, 2nd Floor
Richmond, Virginia 23220
(804) 358-9400

Seen and no objection:

Robert B. Van Arsdale, Esquire
Office of the U. S. Trustee
701 E. Broad Street
Richmond, Virginia 23219

CERTIFICATION OF ENDORSEMENT

Pursuant to the Local Rules of this Court, I hereby certify under penalty of perjury that all necessary parties have endorsed this Order.

Trustee